

Notice of Allowability

Application No.

10/696,958

Examiner

Katherine W. Mitchell

Applicant(s)

CLINCH ET AL.

Art Unit

3677

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 4/19/2006.
2. ☒ The allowed claim(s) is/are 1-9,21-23,27-32,34-39 and 43-63.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 2/21/06; 5/23/06
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date 6/19/2006.
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.
2. Authorization for this examiner's amendment was given in a telephone interview with Jim O'Malley on 6/19/2006.
3. The application has been amended as follows:

In the Claims:

Claim 1 line 9 has been amended to add --and generally perpendicularly to-- between "outwardly from" and "said planar surface".

Claim 21 line 9 has been amended to add --and generally perpendicularly to-- between "outwardly from" and "said planar surface".

Claim 43 line 7 has been amended to add --and generally perpendicularly to-- between "from" and "said planar surface".

Claim 43 line 6 has been amended to change "surface and a" to --surface having a--.

Claim 47 line 5 has been amended to change "surface and a" to --surface having a--.

Claim 47 line 6 has been amended to add --and generally perpendicularly to-- between "outwardly from" and "said planar surface".

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Claim 60 line 7 has been amended to add --and generally perpendicularly to-- between "outwardly from" and "said planar surface".

Claim 60 line 6 has been amended to change "surface and a" to --surface having a--.

Claim 62 line 6 has been amended to add --outwardly-- immediately after "extending" and to add --and generally perpendicularly to-- between "from" and "said planar surface".

Claim 62 line 5 has been amended to change "surface and a" to --surface having a--.

Claim 62, lines 7 and 10, "halves" has been changed to --segments--.

Claim 63 line 5 has been amended to add --and generally perpendicularly to-- between "from" and "said planar surface".

Claim 63 line 4 has been amended to change "surface and a" to --surface having a--.

Claim 63, lines 5 and 10, "halves" has been changed to --segments--.

Claim 64 has been cancelled.

4. The following is an examiner's statement of reasons for allowance: The closest prior art is Anderson. However, Anderson fails to teach that the at least one protrusion extends outwardly from and generally perpendicular to the planar surface having a seam, or formed by first and second arm portions, as the weldable protrusions of Anderson extend outwardly parallel to the seamed plane (28), and extend outwardly and perpendicular to non-recited non-seamed, not-formed-by arms planar surfaces (26).

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Thus the protrusions of Anderson do NOT extend outwardly from and generally perpendicular to a generally planar surface having a seam.

5. Examiner has rejoined all withdrawn claims except cancelled claim 64-- claims 6,7,9,23,50,51,52,55,56,57,58,59,61,62, and 63, are now rejoined and allowed. Examiner cannot reasonably see how the method of using the cage nut claims can be a separate invention from the specific structure now claimed, and thus the method claims are included in this allowance.

6. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

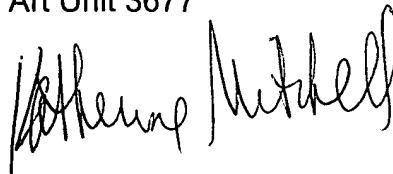
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Katherine W. Mitchell whose telephone number is 571-272-7069. The examiner can normally be reached on Mon - Thurs 10 AM - 8 PM.

7. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, J. J. Swann can be reached on 571-272-7075. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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8. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Katherine W Mitchell
Primary Examiner
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Kwm
6/19/06